



**BEFORE THE ZONING COMMISSION OR  
BOARD OF ZONING ADJUSTMENT FOR THE DISTRICT OF COLUMBIA**



**FORM 150 – MOTION FORM**

**THIS FORM IS FOR PARTIES ONLY. IF YOU ARE NOT A PARTY PLEASE FILE A  
FORM 153 – REQUEST TO ACCEPT AN UNTIMELY FILING OR TO REOPEN THE RECORD.**

Before completing this form, please review the instructions on the reverse side. Print or type all information unless otherwise indicated. All information must be completely filled out.

**CASE NO.:** 19818

**Motion of:**  Applicant  Petitioner  Appellant  Party  Intervenor  Other \_\_\_\_\_

PLEASE TAKE NOTICE, that the undersigned will bring a motion to:

File a supplemental pre-hearing statement and accompanying exhibits

**Points and Authorities:**

On a separate sheet of 8 1/2" x 11" paper, state each and every reason why the Zoning Commission (ZC) or Board of Zoning Adjustment (BZA) should grant your motion, including relevant references to the Zoning Regulations or Map and where appropriate a concise statement of material facts. If you are requesting the record be reopened, the document(s) that you are requesting the record to be reopened for must be submitted separately from this form. No substantive information should be included on this form (see instructions).

**Consent:**

Did movant obtain consent for the motion from all affected parties?

- Yes, consent was obtained by all parties       Consent was obtained by some, but not all parties  
 No attempt was made       Despite diligent efforts consent could not be obtained

Further Explanation: Consent was obtained by intervenors Adam and Shelby Telle only.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 10 8 day of September Month, 2 0 1 8

I served a copy of the foregoing Motion to each Applicant, Petitioner, Appellant, Party, and/or Intervenor, and the Office of Planning

in the above-referenced ZC or BZA case via:  Mailed letter  Hand delivery  E-Mail  Other \_\_\_\_\_

**Signature:**

**Print Name:** Stephen Cobb

**Address:** 1269 Penn St NE, Washington, DC 20002

**Phone No.:** (703) 964-7905

**E-Mail:** sacobbva@gmail.com

Board of Zoning Adjustment  
District of Columbia  
CASE NO. 19818  
EXHIBIT NO. 28



### INFORMATION

A motion is a procedural device requested by a party to the case to bring a limited, contested issue before the Zoning Commission (ZC) or the Board of Zoning Adjustment (BZA) for decision. A party may submit a motion at any point; however, it is recommended that motions be submitted ahead of time for consideration by the ZC or BZA.

Use this form if you are a party to a case and you would like to request that the ZC or BZA entertain your motion. For example:

- a). Motion to continue or dismiss; or
- b). Motion to reopen a closed record to accept a document.

A motion will be entertained by the ZC or BZA at a meeting or as a preliminary matter at a hearing. At that time a decision will be rendered. Please note, in the case of a request to reopen the record, pursuant to 11 DCMR Subtitle Z § 602.6 and Subtitle Y § 602.6, the request will be presented to the Chair for consideration. The request must demonstrate good cause and the lack of prejudice to any party. If granted, the materials shall be entered into the record.

### INSTRUCTIONS

**Any Motion, as provided by the District of Columbia Zoning Regulations (11 DCMR), that is not completed in accordance with the following instructions shall not be accepted:**

1. Forms must be completely filled out. All information shall be furnished by the Maker of the Motion or Request. If additional space is necessary, use separate sheets of 8 ½" x 11" paper to complete the form (drawings and plans may be no larger than 11" x 17").
2. On this sheet and/or on a separate sheet of 8 ½" x 11" paper, state:
  - o Case Number;
  - o Name of Movant;
  - o The relief you are requesting;
  - o Each and every reason you believe you are entitled to relief and why the ZC or BZA should grant your motion, including relevant references to the Zoning Regulations or Map;
  - o Whether consent was obtained by other parties;
  - o Certificate of Service;
  - o Signature and Date; and
  - o Contact Information.
3. Submit the required Form 150 to the Office of Zoning using:
  - o The Interactive Zoning Information System at [www.dcoz.dc.gov](http://www.dcoz.dc.gov) for electronically filed cases;
  - o In person or by US mail at 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, D.C. 20001; or
  - o By email to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov) for the ZC or [bzasubmissions@dc.gov](mailto:bzasubmissions@dc.gov) for the BZA.
4. Pursuant to 11 DCMR Subtitle Z § 407.3 and Subtitle Y § 407.3, at the time of filing, Movants of Motions are required to serve all Applicants, Petitioners, Appellants, Parties, and/or Intervenors, and the Office of Planning in the above-referenced ZC or BZA case via either mailed letter, hand-delivery, or electronic mail.



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete Form 155 - Request for Reasonable Accommodation.

**BOARD OF ZONING ADJUSTMENT FOR THE DISTRICT OF COLUMBIA**

**Case No. 19818**

**Form 150 Point and Authorities**

The Appellant, Stephen Cobb, moves for permission to file a supplemental pre-hearing statement and accompanying exhibit. On September 15, 2018, the Appellant discovered that the developer is not building according to the plans filed with the Zoning Administrator. As a result, the property now violates zoning law in several ways in addition to those listed in the Appellant's original Pre-Hearing Statement (Exhibit 2).

Further, neighbors Adam and Shelby Telle have filed for intervenor status (Exhibits 22–26). They present arguments related to the side yard. The Appellant raises complementary arguments below related to the rear yard.